

HON. RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	No. CR17-281RAJ
)	
Plaintiff,)	ORDER GRANTING UNOPPOSED
)	MOTION TO CONTINUE TRIAL
v.)	AND PRETRIAL MOTIONS
)	DEADLINE
ANGELO GUTIERREZ,)	
)	
Defendant.)	

THE COURT has considered Defendant's unopposed motion to continue the trial date and pretrial motions deadline and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as the defendant has requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

1 (d) the case is sufficiently complex that it is unreasonable to expect adequate
2 preparation for pretrial proceedings or the trial itself within the current trial schedule, as
3 set forth in 18 U.S.C. § 3161(h)(7)(B)(ii) and

4 (e) the ends of justice will best be served by a continuance, and the ends of
5 justice outweigh the best interests of the public and the defendant in any speedier trial,
6 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

7 (f) the additional time requested between the current trial date of January 16,
8 2018 and the new trial date is necessary to provide counsel for the defendant the
9 reasonable time necessary to prepare for trial, considering counsel's schedule and all of
10 the facts set forth above; and

11 IT IS THEREFORE ORDERED that Defendant's Unopposed Motion to
12 Continue Trial Date and Pretrial Motions Deadline (Dkt. #17) is GRANTED. The trial
13 date in this matter shall be continued from January 16, 2018 to April 30, 2018. All
14 pretrial motions, including motions in limine, shall be filed no later than March 29,
15 2018.

16 IT IS FURTHER ORDERED that the period of delay from the date of this order
17 to the new trial date of April 30, 2018 is excludable time pursuant to 18 U.S.C.
18 §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

19 DATED this 21st day of December, 2017.

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22 The Honorable Richard A. Jones
23 United States District Judge
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